

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JASON MCLEAN and  
BRIAN COLEMAN,

Plaintiffs,

v.

COMMUNICATIONS  
CONSTRUCTION GROUP, LLC.,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Civ. No.: 06-617-SLR

JURY TRIAL DEMANDED

**ANSWER TO MOTION TO COMPEL DOCUMENTS AND MOTION TO  
EXTEND DEADLINE FOR SUMMARY JUDGMENT**

Plaintiffs Jason McLean and Brian Coleman, by and through their undersigned counsel, hereby answer defendant's motion to compel as follows:

1. Admitted.

2. Admitted. By way of further information, most of the requested information was already in defendant's possession.

3. Denied.

a. Denied. Defendant has been provided tax returns for Jason McLean in 2005 and 2006.

b. Denied. Defendant has been informed that Jason McLean is not in control or possession of W-2 forms, payroll check stubs, and other documents relating to income earned by Jason McLean during his employment with McLean Enterprises and CableNet Services.

c. Admitted. Defendant has been informed that Brian Coleman did not file taxes for 2005 and 2006.

d. Denied. Defendant has been provided with Brian Coleman's 2006 1099-Misc tax form. In addition, Defendant has been informed that Brian Coleman is not in control or possession of W-2 forms, payroll check stubs, and other documents relating to income earned during his employment with BC Underground Construction and JT Enterprises.

e. Denied. Defendant has been on notice that Jason McLean has requested such documents which are pending.

f. Denied. Defendant has been provided with all of the police reports in the possession and control of Plaintiffs.

g. Denied. Defendant has been provided with Jason McLean's signed verification stating that the Complaint was accurate.

4. Admitted.

5. Admitted.

6. Admitted. By way of further information, Defendant has received a signed verification to Plaintiffs' responses to Defendant's First Set of Interrogatories and the Right to Sue Letter issued by the EEOC to Brian Coleman.

7. Admitted.

8. Admitted.

9. Admitted.

10. Admitted.

11. Denied. See above responses.

12. Plaintiff is not in opposition that summary judgment deadline being extended and in fact informed Defendant that it was not in opposition of extending the summary judgment deadline.

**WHEREFORE**, Plaintiffs requests that the Court deny an Order compelling the Plaintiffs to immediately provide Defendant with the documents above.

**YOUNG, MALMBERG & HOWARD, P.A.**

/s/ Ronald G. Poliquin  
Ronald G. Poliquin, Esquire  
I.D. No. 4447  
30 The Green  
Dover, DE 19901  
(302) 672-5600  
*Attorney for Plaintiffs*

DATED: November 26, 2007

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

JASON MCLEAN and	)	
BRIAN COLEMAN,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No.: 06-617-SLR
	)	
COMMUNICATIONS	)	JURY TRIAL DEMANDED
CONSTRUCTION GROUP, LLC.,	)	
	)	
Defendant.	)	

**CERTIFICATE OF MAILING**

I certify that on this 26<sup>th</sup> day of November 2007, I caused to be served one (1) copy of the foregoing Answer to Motion to Compel Documents and Motion to Extend Deadline for Summary Judgment on the following parties via United States Mail, postage prepaid:

Michael B. Kelly, Esquire  
Daniel M. Silver, Esquire  
McCarter & English, LLP  
Renaissance Centre  
405 N. King Street, 8<sup>th</sup> Floor  
Wilmington, DE 19801

Thomas Benjamin Huggett, Esquire  
Courtney A. Wirth, Esquire  
Morgan, Lewis & Bockius, LLP  
1701 Market Street  
Philadelphia, PA 19103

**YOUNG, MALMBERG & HOWARD, P.A.**

/s/ Ronald G. Poliquin  
Ronald G. Poliquin, Esquire  
I.D. No. 4447  
30 The Green  
Dover, DE 19901  
(302) 672-5600  
*Attorney for Plaintiffs*